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TO	Art Group Unit 1648 U.S. Patent & Trademark Office	(703) 872-9306	

FROM	Antoinette F. Konski antoinette.konski@bingham.com	(650) 849-4800	(650) 849-4950
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PAGES (INCLUDING THIS COVER PAGE): 10

RE Supplemental Amendment and Response to Office Action  
U.S. Application Serial No.: 09/147,919

## MESSAGE

This facsimile consists of the following:

Fax Cover Sheet (1 pg);  
 Transmittal Form (1 pg);  
 Fee Transmittal (in duplicate for processing)(2 pgs);  
 Supplemental Amendment and Response to Office Action (5 pgs) and  
 Petition for Extension of Time (1 pg)

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PTO/SB/21 (08-03)

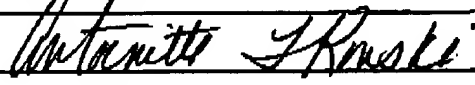
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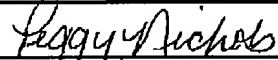
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/147,919	
	Filing Date	March 23, 1999	
	First Named Inventor	CARDOSA, Mary Jane	
	Art Unit	1648	
	Examiner Name	M. Mosher	
Total Number of Pages in This Submission	9	Attorney Docket Number	BN 0703

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Bingham McCutchen LLP Antoinette F. Koski
Signature	
Date	February 3, 2004

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 265

## Complete If Known

Application Number	09/147,919
Filing Date	March 23, 1999
First Named Inventor	CARDOSA, Mary Jane et al.
Examiner Name	M. Mosher
Art Unit	1648
Attorney Docket No.	BN 0703

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
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Number

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Deposit  
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☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20 **	0	X	0
Independent Claims	Extra Claims	Fee from below	Fee Paid
3 **	0	X	0
Multiple Dependent	Extra Claims	Fee from below	Fee Paid
		X	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	80	2201	43	Independent claims in excess of 3	
1203	280	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0)

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2812	2,520	For filing a request for reexamination	
1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	265
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,320	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	2806	180	Submission of Information Disclosure Sheet	
8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	800	2802	800	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 265)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Antoine J. Koller

Registration No.  
(Attorney Signature)

34,202

Telephone

(550) 848-4950

Signature

Date

February 3, 2004

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PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 255**Complete if Known**

Application Number	09/147,919
Filing Date	March 23, 1999
First Named Inventor	CARDOSA, Mary Jane et al.
Examiner Name	M. Mosher
Art Unit	1648
Attorney Docket No.	BN 0703

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order☒ Deposit AccountDeposit  
Account  
Number

50-2518

Deposit  
Account  
Name

Bingham McCutchen LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
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1001	770	2001	385	Utility filing fee	
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1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

			Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/>	-20 **	=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	-3 **	=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent					X	<input type="text"/>	=	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
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1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1602	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
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1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 265)**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Antoinette J. Kovach	Registration No. (Attorney Only)	34,202	Telephone	(850) 849-4950
Signature		Date	February 3, 2004		

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Atty. Docket No. BN 0703

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Dated: February 3, 2004

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CARDOSA, Mary Jane et al.

Filing Date: March 23, 1999

Examiner: M. Mosher

Serial No.: 09/147,919

Group Art Unit: 1648

Title: RECOMBINANT MVA VIRUS EXPRESSING DENGUE VIRUS  
ANTIGENS, AND THE USE THEREOF IN VACCINESCommissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

## SUPPLEMENTAL AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

This Supplemental Amendment is submitted in response to the Office Action issued August 27, 2003 by the U.S. Patent and Trademark Office connection with the above-identified application. A response to this Action originally was due November 27, 2003. On January 9, 2004 an Amendment and a Petition for a Two Month Extension of Time was filed. Enclosed herewith is a Petition for an additional One Month Extension of Time and authorization to charge the amount of the fee due to the undersigned's Deposit Account. In view of the filing of this Petition and payment of the fee, any response or action taken on or before February 27, 2004 is considered timely. Accordingly, this paper is timely filed.

Amendments to the claims begin on page 2 of this paper.

The Remarks begin on page 4 of this paper.